

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUDITH KOERNER, :
 :
Plaintiff, : CIVIL ACTION NO. 3:17-cv-455
 :
v. : (JUDGE CONABOY)
 :
GEICO CASUALTY COMPANY, :
 :
Defendant. :
 :

ORDER

AND NOW, THIS 14th DAY OF JUNE 2017, FOR THE
REASONS SET OUT IN THE SIMULTANEOUSLY FILED MEMORANDUM, IT IS
HEREBY ORDERED THAT:

1. Defendant's, GEICO Casualty Company, Motion to Dismiss Counts I, II and III (compensatory and consequential damages) of the Second Amended Complaint (Doc. 12) is GRANTED;
2. Counts I and II of Plaintiff's Second Amended Complaint are DISMISSED;
3. Count III is dismissed only as to Plaintiff's request for compensatory and consequential damages;
4. Plaintiff is granted leave to file an amended complaint consistent with the Court's Memorandum regarding Plaintiff's merged breach of contract claim on or before June 30, 2017;

5. If Plaintiff does not file an amended complaint, this action goes forward only as to Count III for Statutory Bad Faith as modified by this Order.

A handwritten signature in cursive script, appearing to read "Richard P. Conaboy", written over a horizontal line.

RICHARD P. CONABOY
United States District Judge